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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/784,224 01/16/97 SULLIVAN

A 128-96-003

EXAMINER

LM32/0818

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MYHRE, J

ART UNIT

PAPER NUMBER

2765

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/784,224

Applicant(s)

Sullivan

Examiner

James Myhre

Group Art Unit

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☒ Responsive to communication(s) filed on Mar 30, 1998

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-28 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-28 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Response to Amendment

1. The amendment filed on March 30, 1998 under 37 CFR 1.131 has been considered but is ineffective to overcome the Oku reference.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7, 11-14, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oku.

Claims 1, 11, and 19 (Amended): As discussed in paper 2, paragraph 3, Oku discloses a computer-based knowledge management system, apparatus, and method comprised of:

- a. A client which generates a first request (query) for a knowledge worker (user)(col 21, lines 5-26);
- b. A server which receives the first request and generates a second request to the information source (database) when information pertaining to the location of the knowledge item is found in the knowledge matrix (DBMS index)(col 21, lines 5-26); and

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c. An information source (database) which responds to the second request by communicating the information requested by the first request to the server (col 21, lines 5-26).

Although Oku does not explicitly disclose the index (knowledge matrix) as part of the DBMS, Oku infers using indexes by reference to searching the databases. Official notice is taken that it is old and well known within the database art to use one or more indexes in database management systems to efficiently query and search databases. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to search the knowledge matrix (database index) in order to ascertain if the information sought was located in the database. One would have been motivated to use an index in view of Oku's discussion of searching the databases and in order to increase the efficiency of the search.

Claim 2: Oku discloses a system as in Claim 1 above and further discloses searching for a variety of types of data in several database, to include a process database (Figure 42)(col 9, lines 20-24).

Claims 3 and 12: Oku discloses a system and apparatus as in Claims 1 and 11 above which uses the knowledge matrix to locate data items pertaining to the need (requested information) of the knowledge worker (col 21, lines 5-26).

Claims 4, 13, and 20: Oku discloses a system, apparatus, and method as in Claims 1, 11 and 19 above which uses knowledge matrices as part of its DBMS. As discussed in Claim 2 above, Oku also discloses using process and data databases. As discussed above, it is obvious that each database would have its own index. It is also old and well known within the art that

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queries for multiple items/needs may be submitted concurrently. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to identify one or more need associated with the knowledge worker and then to identify the process and data item associated with the need. One would have been motivated to do this in view of the discussions above and in order to narrow the scope of the search to data items that meet a multiplicity of needs.

Claims 5, 14, and 21: Oku discloses a system and apparatus as in Claims 4 and 13 above. It is obvious if more than one need was being sought to keep the status on each of the searches until the entire query was answered. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to set up a matrix (grid) to store status information on each item. One would have been motivated to use such a structure in order to facilitate tracking the query through to completion.

Claims 6 and 22: Oku discloses a system and method as in Claims 5 and 21 above. A process, by definition, is fluid and consists of one or more steps used to complete an action. On the other hand, an instance of a data item is static and unchanging. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that it would be necessary to store an indicator of the executed step of a process (execution flag), but only necessary to store the identity of the data item instance. One would have been motivated to store different types of information based on the type of item in view of the differing dynamics of the information involved.

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Claim 7: As discussed in paper 2, paragraph 3, it is obvious that the information source could be internal or external to the system.

4. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oku in view of Srinivasan.

Claims 8, 18, and 23: Oku discloses the system, apparatus, and method as in Claims 1, 11, and 19 above. See paper 2, paragraph 4, for discussion of obviousness.

5. Claims 9, 15, 17, 24, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oku in view of Srinivasan as applied to claims 1, 11, and 19 above, and further in view of Barritz.

Claims 9, 15, 17, and 24: Oku discloses the system, apparatus, and method as in Claims 1, 11, and 19 above. See paper 2, paragraph 5, for discussion of obviousness.

Claims 26, 27, and 28: Oku discloses the system apparatus, and method as in Claims 1, 11, and 19 above. Paper 2, paragraph 5 discusses the obviousness of Claim 17 in view of Srinivasan and Barritz. Further, when the system is tracking pending tasks it would be obvious to notify the user when the task is due to be completed or has been completed. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to transmit the pending information to the user once it becomes available. One would have been motivated to

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automatically transmit the information upon availability in order to prevent the user from having to constantly check on each pending request.

6. Claims 10, 16, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oku in view of Srinivasan as applied to claims 1, 11, and 19 above, and further in view of Graves.

Claims 10, 16, and 25: Oku discloses the system, apparatus, and method as in Claims 1, 11, and 19 above. See paper 2, paragraph 6, for discussion of obviousness.

Response to Arguments

7. Applicant's arguments filed March 30, 1998 have been fully considered but they are not persuasive.

The terms "expert system", "knowledge system", "knowledge-based system", and "knowledge management system" are used interchangeably within the computer art to describe a system which uses expert knowledge maintained in databases for problem solving or decision making. Therefore, the applicant's arguments against the obviousness of combining Oku and Chang are not persuasive.

When designing a knowledge system it is normal practice within the art to provide a degree of security. One of ordinary skill in the art would look to the security field to locate and select one or more security devices to be used on the system. Therefore, the applicant's arguments against the obviousness of combining Oku and Srinivasan are not persuasive.

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Oku and Srinivasan disclose compiling personal profiles as discussed in paper 2, paragraphs 4 and 5. It is well known within the computer art to monitor and track resource allocation and usage to prevent congestion or lockups at bottlenecks. It is also well known within the computer art to capture and maintain this data, to use it to generate statistical information, and to adjust the allocations or usage. One of ordinary skill in the art would look to the resource allocation and tracking field to locate and select one or more method for tracking the usage and for adjusting the profiles based on this usage. Therefore, the applicant's arguments against the obviousness of combining Barritz and Graves with Oku and Srinivasan are not persuasive.

For the specific claims cited in the applicant's arguments, please see the discussions in paragraphs 3 through 6 above.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. James W. Myhre whose telephone number is (703) 308-7843. The examiner can normally be reached on weekdays from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen R. MacDonald, can be reached on (703) 305-9708. The fax phone number for this Group is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-75-3900.


JWM
08/14/98


ALLEN R. MACDONALD
SUPERVISORY PATENT EXAMINER